

// A regular meeting of the Council of the City of Lynchburg was held on the 25th day of October, 2005, at 5:00 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Mayor Hutcherson gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Absent: 0

// Copies of the minutes of the October 11 (two meetings), 2005 meetings, having been previously furnished Council, reading was dispensed with. Mayor Hutcherson read a change on page 102 of the October 11 minutes of the regular meeting, and on motion of Vice Mayor Foster, seconded by Council Member Johnson, Council by the following recorded vote approved the minutes as amended:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Fire - General, Resolution #R-05-124 amending the FY 2006 City/Federal/State Aid Projects Fund budget and appropriating \$40,000, with \$20,000 reimbursement, to upgrade four (4) Zoll "M" Series bi-phasic manual monitor/defibrillators, laid over from the October 11, 2005 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Fire - General, Resolution #R-05-125 amending the FY 2006 City/Federal/State Aid Projects Fund budget and appropriating \$47,872, fully reimbursable, to assist in the purchase of safety equipment and supplies for the Fire and EMS Department, laid over from the October 11, 2005 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Police - General, Resolution #R-05-126 amending the FY 2006 City/Federal/State Aid Fund and appropriating \$78,931, fully reimbursable, to complete the Digital In-Car Camera program of the Lynchburg Police Department, laid over from the October 11, 2005 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Commonwealth Attorney, Resolution #R-05-127 amending the FY 2006 City/Federal/State Aid Fund budget and appropriating \$108,994, with resources of \$91,510 from the United States Department of Justice, for continuation of the Community Prosecution Program, laid over from the October 11, 2005 meeting, was again presented and read, and on motion of Council Member

Seiffert, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson	7
Noes:	0

// In the matter of Community Planning - General, Resolution #R-05-130 amending the FY 2006 City/Federal/State Aid Fund Budget and appropriating \$666,222 for the Lead-based Paint Hazard Control Grant Program, laid over from the October 11, 2005 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson	7
Noes:	0

// In the matter of Public Works - General, Resolution #R-05-133 authorizing the sale of real property located at 1117, 1201, 1215, and 1221 Jefferson Street to Invest Lynchburg, LLC, for the sum of \$43,900 and a commitment to construct substantial improvements on the property within three years from the date of its purchase, laid over from the October 11, 2005 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson	7
Noes:	0

// In the matter of Airport - General, Resolution #R-05-138 amending the Airport Projects Grant Fund budget and appropriating \$454,219, with resources of \$137,970 from State Aviation Entitlement Funds and \$316,249 from increased borrowing, for the Airport T-Hangar/Jet Pod Project, laid over from the October 11, 2005 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Gillette, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson	7
Noes:	0

// Mayor Hutcherson announced that the City received an award from the Virginia Municipal League for its Downtown Revitalization Program, and congratulated Council Member Dodson on his appointment to the Governor's Transportation in Urbanized Areas Study Commission.

// In the matter of City Council, Mr. Daniel May expressed the following concerns attributed to the behavior of students residing in Lynchburg College-owned houses on College Street, i.e., loud parties very late into the night, his yard being littered with trash and beer cans, the flagrant disregard for the 11:00 p.m. noise curfew, and damage to the wooden fence on his property. In response to Council questioning, Mr. May stated that he has spoken with Lynchburg College officials regarding his concerns. City Manager Kimball Payne stated that he has spoken with John Eccles, Lynchburg College Dean of Students, regarding Mr. May's concerns, but encouraged Mr. May to also contact Dean Eccles. Council Member Seiffert also encouraged Mr. May to contact Dean Eccles, and to remind Dean Eccles that student housing is permitted

via a Conditional Use Permit, and if a house becomes a nuisance to the neighborhood, City Council can revoke the Conditional Use Permit. Several Council Members thanked Mr. May for bringing the matter to their attention and encouraged him to contact Dean Eccles.

// In the matter of Community Planning - General, City Council Report #10 was considered. On motion of Council Member Dodson, seconded by Vice Mayor Foster, Council by the following recorded vote adopted Resolution #R-05-142, as presented, naming the bridge in the 2500 block of Campbell Avenue the "John L. Suttentfield Memorial Bridge":

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Community Planning - General, Resolution #R-05-139 amending the FY 2006 General Fund Budget and appropriating an amount not to exceed \$310,000 for the Bluffwalk Project, laid over from the October 11, 2005 meeting, was again presented and read. City Manager Kimball Payne stated that since Council's action on October 11 to support the Bluffwalk Center project, two other groups have approved loans to close the financing gap, and as a result the \$910,000 gap will be closed as follows:

- \$150,000 in Contractor savings
- \$200,000 loan from the Industrial Development Authority (IDA)
- \$250,000 loan from the Lynchburg Area Development Corporation
- \$310,000 loan from the City through the IDA

Council Member Helgeson expressed concern regarding the short period of time in which to review the information contained in the October 24 letter from Wachovia; and at his request, Mr. Hal Craddock provided a breakdown of the four loans from Wachovia for the Bluffwalk Center project. Council Member Helgeson went on to say that he still could not support the additional funding to the Bluffwalk Center project since there has been no opportunity for formal public input and the lack of an independent audit on the project. On motion of Vice Mayor Foster, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Johnson, Seiffert, Hutcherson 6

Noes: Helgeson 1

// In the matter of Budget, Resolution #R-05-140 amending the FY 2006 General Fund Budget and appropriating \$55,278 for supplemental funding to the FY 2006 Tax Relief for the Elderly and Permanently Disabled program, laid over from the October 11, 2005 meeting, was again presented and read.

Commissioner of the Revenue Mitch Nuckles acknowledged that the additional funding was allocated to those applicants with the lowest income disregarding net worth. Council Member Seiffert stated that when he voted against the first reading it was a vote against the process and not against the Tax Relief Program, and that he would vote in support of the second reading. On motion of Council Member Dodson, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// Information Technology Network Services Manager Terry Hutchens provided an overview regarding the new audio visual system recently installed in the Council Chamber.

// City Council recessed the meeting at 5:58 P.M. to reconvene in the second floor Training Room to conduct a work session regarding several items.

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Clerk of Council